

J1017 U.S. PTO
10/044094
01/11/02

PAT-108 11/01

2.5 THE INVENTOR(S) FOR THIS NEW APPLICATION IS(ARE):

1. <u>Ulrich Braun</u>	2. _____
3. _____	4. _____
5. _____	6. _____
7. _____	8. _____

3. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference thereto.

4. ☒ Priority is claimed under 35 U.S.C. 119/365 based on filing in PCT of _____ (country)

<u>Application No.</u>	<u>Filing Date</u>	<u>Application No.</u>	<u>Filing Date</u>
(1) <u>PCT/EP98/03316</u>	<u>June 3, 1998</u>	(2) _____	_____
(3) _____	_____	(4) _____	_____
(5) _____	_____	(6) _____	_____

a. ☐ _____ (No.) Certified copy/copies attached.

b. ☒ Certified copy/copies previously filed on June 5, 2000 in _____
U.S. Application No. 09/445,249, filed on June 5, 2000
series code ↑ serial no.

c. ☐ Certified copy/copies filed during International stage of PCT/ _____ / _____

4. (a) ☒ Domestic priority is claimed from US Ser. No. 09/445,249 filed June 5, 2000

(b) ☐ Benefit is claimed of Provisional Application No. 60/___, filed ___.

☐ Prior application is assigned to _____

by assignment recorded _____ (Date) Reel _____ Frame _____

☐ Attached is the following number of Assignments (including original and all later successive ones by different assignors): _____ and respective new Cover Sheets. (Do **NOT** file old cover sheets.)

(Assignments in parent **must be refiled** with new Cover Sheets in this continuing application if you want it/them recorded against the continuing application.)

Please return the recorded Assignment to the undersigned.

☒ The power of attorney in the prior application is to John R. Wetherell, Reg No. 31,678; Robert M. Bedgood, Reg No. 43,488; Victor J. Castellucci, Reg. No. 43,535
(Name and Reg. No.)

Whose current address is as in item 8 below.

a. ☐ Recognize as associate attorney _____
(Name, Reg. No. and Address)

8. **Address all future communications to Intellectual Property Group
of Pillsbury Winthrop LLP, 50 Fremont Street, P.O. Box 7880, San Francisco, CA 94105**

9. ☒ **Amend the specification** by inserting before the first line the sentence:--This is a
☐ continuation ☐ division of Application No. 09/445,249 filed June 5, 2000
series code ↑ serial no.

See attached Preliminary Amendment .--

9. (a) ☐ **Amend the specification** by inserting before the first line: --This application claims the benefit of
Provisional Application No. 60/___, filed ___ .--

10. **Small Entity Status** ☐ is Not claimed ☒ is claimed (pre-filing confirmation required)

(No.) Small Entity Statement(s) (not essential since 9/8/00) were/are:

- ☒ filed in above prior application
☐ attached.

11. Petition to extend the life of the above prior application to at least the date hereof
 (one box) ☐ is being concurrently filed in that prior application (Use Form PAT-111).
 (must be) ☐ was previously filed in that prior application (Check length of prior extension).
 (X'd) ☐ is not necessary for copendency (Double check before X'ing this box).

12. ☐ **INFORMATION DISCLOSURE STATEMENT:** Attached is Form PTO-1449 listing all of the documents cited by Applicant and the PTO in the parent application(s) relied upon under 35 USC 120 and referenced in item 9 above. Per Rule 98(d) copies of those documents are not required now. Please consider those documents and advise that they have been considered in this new application as by returning a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609. .

13. ☐ Attached is a Rule 103(a) Petition to Suspend Action.

14. ☒ **Please see** the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.

FILING FEE

THE FOLLOWING FILING FEE IS BASED ON
 -->-->--> CLAIMS AS FILED AND CHANGED BY PRELIMINARY AMENDMENT IN ITEM 14 <--<--<--

NOTE: If box 1A₂ is X'd, do not pay fees,
 But leave lines 15-22 and 27-32 blank.

PTO: PLEASE NOTE CLAIM CANCELLATIONS IF BOX 14 ABOVE IS X'D.

				Large/Small Entity		Fee Code
15. Basic Filing Fee Design Application				\$330/\$165		106/26
16. Basic Filing Fee Utility Application				\$740/\$370	+370	101/201
17. Total Effective Claims	4	minus 20 =		x \$18/\$9	+0	103/203
18. Independent Claims	4	minus 3 =	1	x \$84/\$42	+ 42	102/202
19. If <u>any proper</u> multiple dependent claim (ignore improper) is present,				\$280/\$140	+0	104/204
20. Subtotal =					\$412	
21. If "petition" box 13 above is X'd, add petition fee. \$130					+0	122
21A. If box 6 above is X'd, add Assignment recording fee \$ 40					+0	581
22. TOTAL FILING FEE ATTACHED =					\$412	

(carry forward to Item 31)

23. ☐ ATTACHED:

24. ☒ Preliminary Amendment attached (to be entered after assigning Appln. No.)

25. ☐ See **NONPUBLICATION REQUEST** under Rule 213(a) attached (Pat-258)

26.

**ADDITIONAL FEE CALCULATION FOR
PRELIMINARY AMENDMENT
PER BOXES 24/25**

	Claims remaining after amendment	Highest number previously paid for	Present Extra		Additional Fee	File Code
				<u>Large/Small Entity</u>		
27.	Total Effective Claims *	minus ** 0	= 0	x \$18/\$9	= \$ 0	(103/203)
28.	Independent Claims *	minus *** 0	= 0	x \$84/\$42	= + 0	(102/202)
29.	If amendment enters proper multiple dependent claim(s) into this application for the <u>first time</u> , add (per application) \$280/\$140				+ 0	(104/204)
30.				ADDITIONAL FEE	\$ 0	
31.				plus FEE from item 22 on page 3	+ 412	
32.				<u>TOTAL FEE ATTACHED</u>	\$ 412	

33. *If the entry in this space is less than a entry in the next space, the "Present Extra" result is "0"

34. **If the "Highest number previously paid for" (see item 17 above) is less than 20, write "20" in this space

35. If the "Highest number previously paid for" (see item 18 above) is less than 3, write "3" in this space

Our Deposit Account No. 03-3975

Our Order No. 009848 | 0272125
C# M#

CHARGE STATEMENT: Upon the filing of a Declaration pursuant to Rule 60(b) or 60(d), the Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

50 Fremont Street
P.O. Box 7880
San Francisco, CA 94105
Tel: (415) 983-1000

By Atty: Victor J. Castellucci Reg. No. 43,535
Sig: *Victor J. Castellucci* Fax: (619) 236-1995
Tel: (619) 544-3109

VJC/KAC
Atty./Sec.

NOTE No. 1: File this Request in duplicate with 2 postcard receipts (PAT-103) & attachments
NOTE No. 2: Is extension in parent necessary for copendency? **DOUBLE CHECK** Item 11 above.
If yes, printout Pat-111 and head it in parent.